

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE : 08 SEPTEMBER 2000

**00/0312/AD : PROPOSED ERECTION OF SIGNBOARD AT CORNER OF
STATION ROAD/CUMNOCK ROAD, MAUCHLINE**

APPLICATION BY BURNS CRYSTAL

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Advertisement consent is sought for the erection of a free standing advance sign. The double-sided sign measures 1.2 metres by 1 metre and would be set on twin posts. Overall, the sign would be 2.8 metres in height.

1.2 The purpose of the sign is to provide advance direction warning for Burns Crystal Factory Shop which is located approximately 250 metres south westwards, along Station Road. The sign would be plastic with a fawn background and brown lettering.

1.3 There is an existing sign at the junction of Station Road and Cumnock Road. This sign is an advance directional sign for a timber merchant's on Haugh Road, which was approved on December 1998 under delegated powers. There are also two unauthorised Burns Crystal signs located at this junction, within the road limit.

2. RECOMMENDATION

2.1 It is recommended that the application be refused on the ground listed on the attached sheet.

3. SUMMARY OF ANALYSIS

3.1 The proposed development conflicts with the adopted policy relating to the display of advertisements within the Finalised Cumnock and Doon Valley District Wide Local Plan. With respect to the objections, a right to a view is not a valid planning consideration. It is however accepted that due to the size of the sign, it would be very conspicuous at its location, would be detrimental to the visual amenity of the area and could set a precedent for other signs.

3.2 The three metre high sign, which would be located on the edge of the settlement boundary would be detrimental to the rural environment. Furthermore, it is considered that if the sign were approved, it would set a precedent for further signs at this location.

Alan Neish
Head of Planning and Building Control

Note: This document combines key sections of the associated report for quick reference and should not in itself be considered as having been the basis for recommendation preparation or decision making by the Planning Authority.

EAST AYRSHIRE COUNCIL**SOUTHERN LOCAL PLANNING COMMITTEE : 08 SEPTEMBER 2000****00/0312/AD : PROPOSED ERECTION OF SIGNBOARD AT CORNER OF
STATION ROAD/CUMNOCK ROAD, MAUCHLINE****APPLICATION BY BURNS CRYSTAL****Report by Head of Planning and Building Control****1. PURPOSE OF REPORT**

1.1 The purpose of the report is to present for determination an advertisement application which is to be considered by the Local Planning Committee under the scheme of delegation as the proposal is subject to objections, and is recommended for refusal.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site lies on the west side of the A76 on the southern edge of Mauchline. The site is located to the south of the junction of the A76 Cumnock Road with Station Road. The site lies within an existing agricultural field, outwith the limits of the public road.

2.2 **Proposed Development:** Advertisement consent is sought for the erection of a free standing advance sign. The double-sided sign measures 1.2 metres by 1 metre and would be set on twin posts. Overall, the sign would be 2.8 metres in height.

2.3 The purpose of the sign is to provide advance direction warning for Burns Crystal Factory Shop which is located approximately 250 metres south westwards, along Station Road. The sign would be plastic with a fawn background and brown lettering.

2.4 There is an existing sign at the junction of Station Road and Cumnock Road. This sign is an advance directional sign for a timber merchant's on Haugh Road, which was approved on December 1998 under delegated powers. There are also two unauthorised Burns Crystal signs located at this junction, within the road limit.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Mauchline Community Council have not responded to the consultation letter.

Noted.

3.2 East Ayrshire Council Roads and Transportation Division have no objection to the proposal subject to the sign being located outwith the road boundary. The sign should not be erected within the visibility splays of the junction of Station Road and the A76.

The requirements of the Roads Division can be met by attaching a condition to any consent granted.

4. REPRESENTATIONS

Two objections have been received with regard to the proposed sign.

4.1 One objector has stated that the sign will be visible from their front window. They do not wish this area to become a board advertising section in front of their house, as it will spoil a beautiful view.

The proposed sign would be approximately 25 metres from the objector's house. A right to a view is not a material consideration in the determination of the application.

4.2 The other objector has stated that they are most unhappy as regards any signs at this junction, as they are an eyesore which they cannot avoid seeing from the front of their property. One of the reasons they bought the property was the uninterrupted views, which are becoming overcrowded with this clutter of signs. One large sign has already been erected on the site, and despite their complaint bringing it to your attention it was given permission.

The proposed site lies directly across from the objector's house (approximately 8 metres away). It is accepted that the existing sign and the proposed sign would be clearly visible from their house. A right to a view is not a material consideration in the determination of an application.

4.3 Burns Crystal have two signs (obviously they have scant regard for planning procedures). The first sign sustained damage and has now been attached to the wire fence along with a sale sign, so now they view two signs belonging to Burns Crystal. As well as this, the original 'sale sign' has been abandoned on the grass verge along with the fence posts. Perhaps Burns Crystal and even the Council find this state of affairs acceptable, but the objector finds it unacceptable.

The Planning Division are aware that the existing Burns Crystal signs are unauthorised, and following the service of a Planning Contravention Notice, advised the owners that formal enforcement action would follow if the signs were not removed. This application was consequently received in February 2000. If this present application is refused, enforcement action would be instigated to seek the removal of all unauthorised signs.

4.4 No doubt, Burns Crystal will try to claim that the sign's removal will be detrimental to their business. They would suggest that if they require a higher profile, they base their outlet in a retail location rather than an industrial site in a residential area. They sincerely hope that this sign will not be granted permission and will be promptly removed. Granting permission will only allow the proliferation of these eyesores to continue in what is primarily a residential area, and send out signals that it is acceptable to erect signs without permission, and all the while we have to view the offending signs. They have at present outside their windows on the Cumnock Road side a clear view of two signs on a lamp-post, one road sign and two no entry junction signs. From the Station Road side, there is a give-way sign, Dumfries Road sign, the back of a 'Careful Drivers' sign, two end of restriction signs, the timber merchant's sign and a Burns Crystal sign. That is twelve signs. Obviously they have no real complaint about the road markers or road warning signs, but they are extremely concerned with what constitutes a 'proliferation' by your department. Why should they put up with these additional advertisement signs which are anything but inconspicuous and would no doubt be unacceptable to the erectors of these signs outside their front doors.

It is accepted that the approval of another sign at this location would have a detrimental effect on the general amenity of the area.

4.5 If permission is given, it will give the green light to everyone else to erect a sign, and this is of great concern. There are several other businesses in the industrial estate, a number of self-employed people and two small holdings in Station Road. It could be argued by all these businesses that they deserve signs too. Obviously they would disagree.

It is accepted that the approval of another sign at this junction could set a precedent for further signs at this location.

4.6 The sign will be 6 feet from the ground and 3 feet high, which is above the existing T K McBlain sign. This sign is an eyesore, and if Burns Crystal get the go-ahead, it will only be worse.

The proposed sign would be approximately 3 metres high and would therefore be 1 metre higher than the existing sign. The sign would be very conspicuous at this prominent location. It is however accepted that another sign at this location would result in sign clutter and have a detrimental effect on the general amenity of the area.

4.7 They feel that Burns Crystal, T K McBlain and other Mauchline businesses would be better served with an official sign in a more appropriate site. They are yet to see any significant numbers drawn down Station Road by this sign. The sign is merely a cheap way of advertising at their expense, and if granted permission, will merely open the floodgates for others.

Alternatives should be examined first and this sign should not receive planning permission.

See Section 6.2

5. DEVELOPMENT PLAN STATUS

5.1 The relevant policy document is the East Ayrshire Local Plan, Finalised Version and the application site lies within the Rural Protection Area.

5.2 Design Guidance for the East Ayrshire Local Plan has yet to be agreed. The relevant design guidance is therefore contained within the Finalised Cumnock and Doon Valley District Wide Local Plan. Appendix 17 of the Finalised Plan lists development control policy documents, one of which relates to the Display of Advertisements. There are specific policies relating to advance signs for business premises.

Policy 9(b)(i) states that no advance signs shall normally be permitted in respect of business premises where these are located alongside or in clear view of a public road. The only exception to this policy is where the premises cannot be otherwise indicated with safety or reasonable clarity to passing traffic and then only if the business to which the sign refers is mainly dependent on passing traffic.

Policy 9(b)(iii) states that isolated premises not situated on a Class A or Class B road may be allowed up to a maximum of one sign at the last public road junction prior to the premises but not more than 2 miles distant from it.

The premises are situated within Station Road Industrial Estate, within the settlement of Mauchline. The Industrial Estate is not in an isolated location. The premises can be clearly viewed from the public road, and a directory sign is situated at the entrance to the estate. The business, although including a factory shop, is not dependent on passing traffic. The proposed sign would therefore be contrary to the provisions of the above policies. It is however noted that the industrial estate lies off a minor public road within a residential area, and has no directional signs. See Section 6.2.

5.3 Policy 9(c) states that all authorised advance signs shall be located outwith the highway boundary and be not more than 2.5 metres in overall height. The maximum permitted area of each sign should not exceed 600mm by 300mm. All signs should be designed and constructed to the highest possible standards, to the satisfaction of the Council.

In this respect, the sign is to be erected outwith the limits of the A760 Road. The sign, being 1.2 metres by 1 metre in dimension and 3 metres in height exceeds the maximum dimension stipulated within the adopted policy 9(c) and is contrary to that policy. It is considered that, given the size of the sign, particularly

its height, the sign would be very prominent at its roadside location on the edge of the countryside.

6. OTHER PLANNING CONSIDERATIONS

6.1 It is noted that Station Road Industrial Estate lies off a minor public road, within a mainly residential area. Apart from the directory board at the entrance to the Industrial Estate, there are no other signs which relate to the industrial estate.

6.2 The East Ayrshire Council Property Division are investigating the erection of one directional sign detailing all the businesses located within the Station Road Industrial Estate. This would be beneficial to all businesses located within the Industrial Estate.

6.3 Planning History : The existing 'T K McBlain' sign located at the junction of Station Road and Cumnock Road was approved under delegated powers in December 1998.

6.3 If the Committee are minded to approve this application, it would not require to be referred for determination to the Development Services Committee.

7. FINANCIAL AND LEGAL IMPLICATIONS.

7.1 There are no financial implications for the Council in the determination of this application.

7.2 Legal Implications : If this application is refused, enforcement action would be instigated to seek the removal of all unauthorised signs at this location.

8. CONCLUSIONS

8.1 The proposed development conflicts with the adopted policy relating to the display of advertisements within the Finalised Cumnock and Doon Valley District Wide Local Plan. With respect to the objections, a right to a view is not a valid planning consideration. It is however accepted that due to the size of the sign, it would be very conspicuous at its location, would be detrimental to the visual amenity of the area and could set a precedent for other signs.

8.2 The three metre high sign, which would be located on the edge of the settlement boundary would be detrimental to the rural environment. Furthermore, it is considered that if the sign were approved, it would set a precedent for further signs at this location.

9. RECOMMENDATION

9.1 It is recommended that the application be refused on the ground listed on the attached sheet.

Alan Neish
Head of Planning and Building Control
VE/SMB
30 August 2000
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Consultation responses.
3. Letters of representation.
4. East Ayrshire Local Plan, Finalised Version.
5. Cumnock and Doon Valley District Wide Local Plan.
6. Development Control policies relating to the Display of Advertisements.

Any person wishing to inspect the above background papers listed above should contact Miss Vivien Emery on 01563 555485.

Implementation Officer : Pamela Clifford

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application no: 00/0312/AD

Location	Station Road, MAUCHLINE KA5 5EU
Nature of Proposal:	Proposed erection of free-standing signboard
Name and Address of Applicant:	Burns Crystal Glass Ltd, Station Road MAUCHLINE KA5 5EU
Name and Address of Agent	

DPO's Ref: [VIVIEN EMERY]
PPO's Ref; []

The above **ADVERTISEMENT** application should be refused on the following grounds..

- (1) The proposed sign, in terms of its size and location, would be contrary to the Council's Development Control Policies relating to the Display of Advertisements, as outlined in Appendix 17 of the Cumnock and Doon Valley District Wide Local Plan. Specifically, the proposal would not accord with Policies 9(b)i, 9(b)iii and 9(c).
- (2) The proposed development would set an undesirable precedent for similar advance signs in this location, to the detriment of visual amenity.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S
PLANNING OFFICE IN LUGAR. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 555320.**

AGENDA

